

the functions of president, vice president, secretary, treasurer, or other executive functions of a labor organization, and any member of its executive board or similar governing body.

**§401.15 Member or member in good standing.**

*Member or member in good standing*, when used in reference to a labor organization, includes any person who has fulfilled the requirements for membership in such organization, and who neither has voluntarily withdrawn from membership nor has been expelled or suspended from membership after appropriate proceedings consistent with lawful provisions of the constitution and bylaws of such organization.

**§401.16 Secretary.**

*Secretary* means the Secretary of Labor.

**§401.17 Act.**

*Act* means the Labor-Management Reporting and Disclosure Act of 1959.

**§401.18 Office.**

*Office* means the Office of Labor-Management Standards, Employment Standards Administration, United States Department of Labor.

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**§401.19 Assistant Secretary.**

*Assistant Secretary* means the Assistant Secretary of Labor for Employment Standards, head of the Employment Standards Administration.

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**PART 402—LABOR ORGANIZATION INFORMATION REPORTS**

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AUTHORITY: Secs. 201, 207, 208, 73 Stat. 524, 529 (29 U.S.C. 431, 437, 438); Secretary's Order No. 5-96, 62 FR 107, January 2, 1997.

SOURCE: 28 FR 14381, Dec. 27, 1963, unless otherwise noted.

**§402.1 Labor organization constitution and bylaws.**

Every labor organization shall adopt a constitution and bylaws consistent with the provisions of the Act applicable thereto, within 90 days after the date the labor organization first becomes subject to the Act. This shall not, however, require the formal re-adoption by a labor organization of such a constitution and bylaws which it has previously adopted and under which it is operating when the report prescribed by §402.2 is filed. As used in this part *constitution and bylaws* means the basic written rules governing the organization.

[28 FR 14381, Dec. 27, 1963, as amended at 40 FR 58856, Dec. 19, 1975]

**§402.2 Labor organization initial information report.**

Every labor organization shall file a report signed by its president and secretary or corresponding principal officers containing the information required to be filed by section 201(a) of the Act, and found necessary to be reported under section 208 thereof by the Assistant Secretary, on United States Department of Labor Form LM-1<sup>1</sup> entitled, "Labor Organization Information Report". There shall be attached to such report and made a part thereof a copy of the constitution and bylaws adopted by the reporting labor organization.

[28 FR 14381, Dec. 27, 1963, as amended at 50 FR 31309, Aug. 1, 1985]

**§402.3 Filing of initial reports.**

(a) Every labor organization shall file with the Office of Labor-Management

<sup>1</sup>Filed as part of the original document.